

### **III. RECOMMENDED LAND USE PLAN CATEGORIES**

#### **OVERVIEW**

As documented in Part II of this report, similarities, differences, and associations in the Rural Service Area were documented in the Land Capability Analysis. This information provided the basis for a planning effort to define rural land categories to serve as management units for strategies to achieve specific goals of protection, preservation and enhancement of the character of the Rural Service Area.

During the review process for the Rural Service Area Land Management Plan, many different potential land categories were considered. The nature of these categories forms the basis of the application of policies and programs on different geographic areas of the Rural Service Area. Different versions of the land use plan categories were presented to the public and reviewing bodies. The October 1996 Tentative Draft Rural Landscape Management Plan prepared by Siemon, Larsen and Marsh presented one possible



application of the categories. The February 1998 draft Rural Landscape Management Plan Report #2: A Framework for Plan Development and Adoption presented two other alternative plan visions to illustrate the impact of basic policy approaches to rural preservation. These reports show the strong need for the land categories to be responsive to the likely methods used to implement the plan. The alternatives in the “Framework” report were thoroughly discussed and analyzed in a series of general public meetings and numerous other public meetings conducted by the Greenspace Commission, the Planning Commission, and the Urban County Council. As a result of these meetings and discussions, some preservation concepts and techniques were found unsuitable to the needs of Fayette County and are not included in this recommended plan. A few of the rejected concepts were:

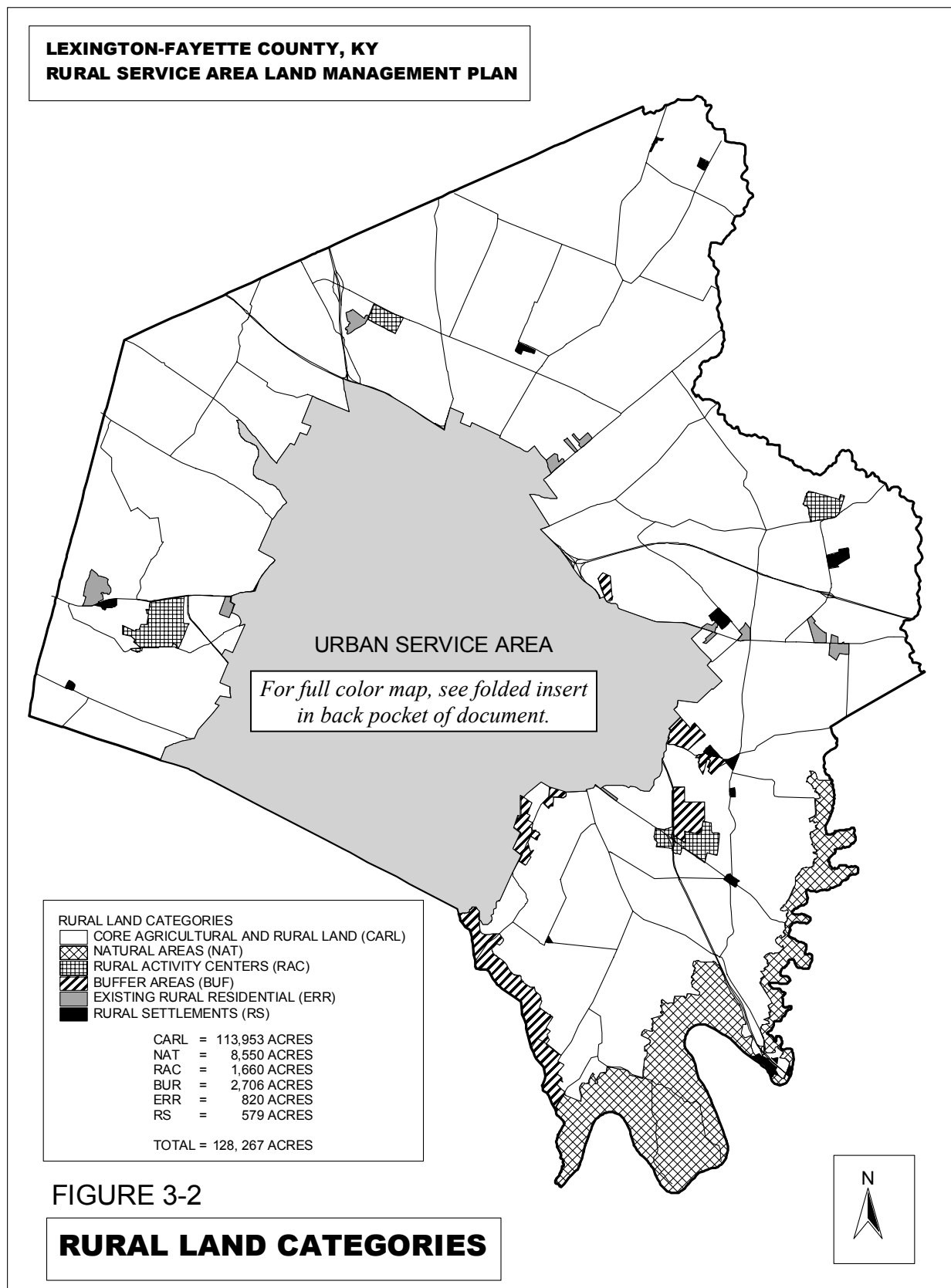
- “Crossroads Communities” and “Hamlets” (suburban-type developments in the RSA as part of a Transfer of Development Rights—TDR—Program),
- Cluster Development,
- 25-Room Guest Lodges, and
- Corporate Headquarter Campus.

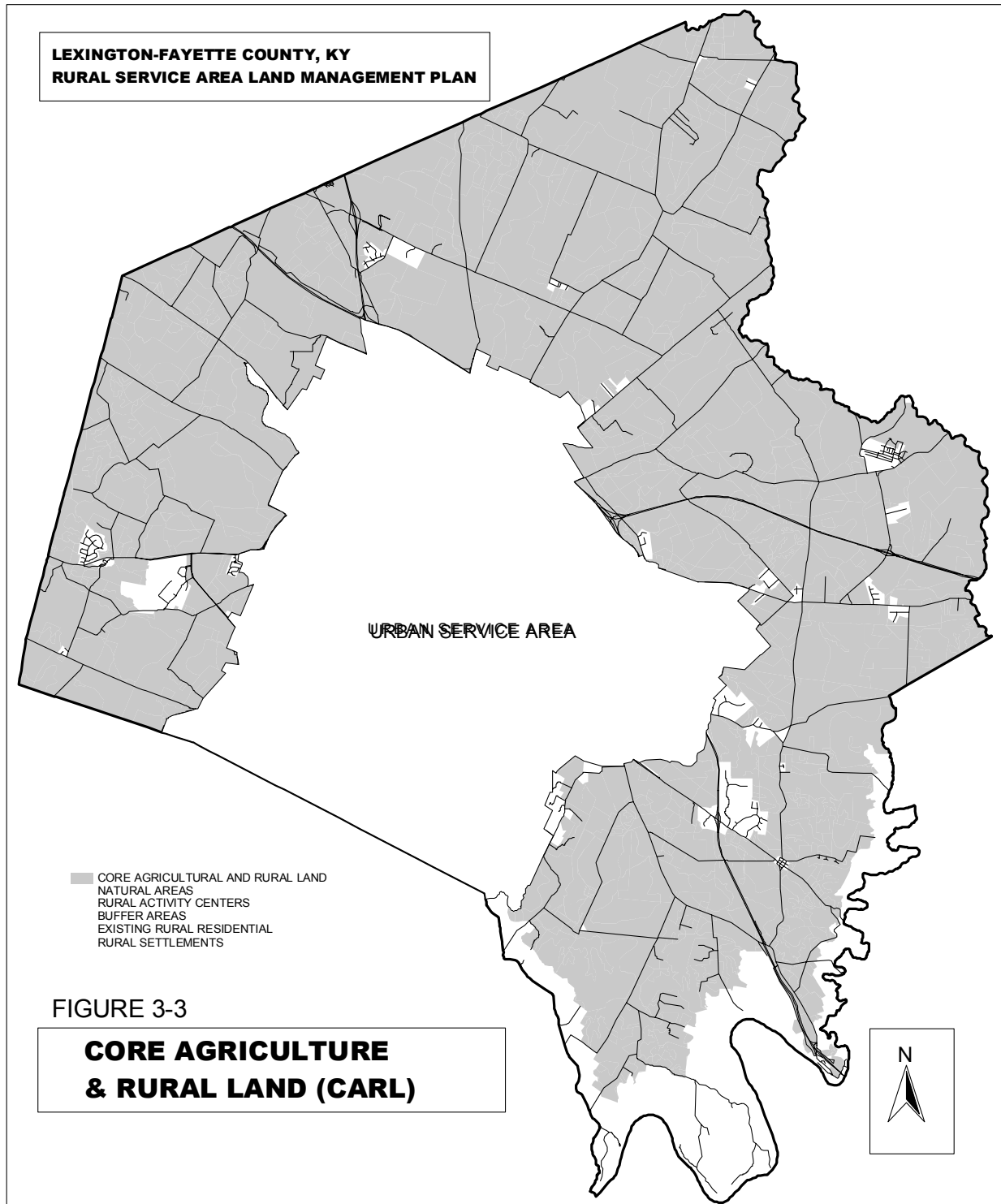
A listing of these and other concepts, with additional information as to why they were not favored for use in Fayette County, appears as Appendix 3 of this report. The final result of these community discussions was to focus attention on preservation strategies more compatible with the goal of preservation of a core of land for agricultural uses thus providing a clearer direction for the preparation of this plan.

The plan categories and associated programs contained in this plan are a hybrid approach from those considered during the "Framework Plan" preparation process. This section of the report outlines those land categories that are proposed for the community, their intent and purpose, and the programs designed to best implement the categories. The following table is a summary of the land use categories and their relative size:

**FIGURE 3-1: RURAL PLAN LAND USE CATEGORY ACREAGES**

<b>CATEGORY</b>	<b>ACREAGE</b>	<b>% OF RSA</b>
CORE AGRICULTURAL AND RURAL LANDS	113,953	88.84%
NATURAL AREAS	8,850	6.67%
RURAL ACTIVITY CENTERS	1,674	1.29%
BUFFER AREAS	2,706	2.11%
EXISTING RURAL RESIDENTIAL	820	0.64%
RURAL SETTLEMENTS	564	0.45%
<b>TOTAL</b>	<b>128,267</b>	<b>100%</b>





## **A. CORE AGRICULTURAL AND RURAL LAND CATEGORY (CARL)**

This land category is the primary category for rural land associated with agriculture in Fayette County. This land category was created through the combining of two different land categories presented in previous draft plans and reports. The total land area proposed for this category is 113,953 acres.

Land contained in this category is characterized by its predominance of use for agriculture. The area consists primarily of core equine lands that has a high improvement to land value ratio, and lands classified as prime agricultural land comprised of at least 50% prime soils or 75% prime and secondary soils.

The policy emphasis for land in this category should be for preservation and enhancement of the land for agricultural purposes in order to ensure the continued viability of the local agricultural economy.





*Tobacco cut and ready to be hung in barn to cure.*

*The following programs are recommended for this area:*

- 1. The minimum parcel size for the creation of new tracts should be established at 40 acres to ensure the preservation of parcels of a size conducive to agriculture as well as to minimize problems of increased traffic, the need for physical and social infrastructure, and similar “quasi-urban” considerations.*
- 2. Existing tracts under 40 acres in size shall be permitted to remain in order to provide areas for smaller farms and rural residential uses. However, programs should be created which are designed to offer incentives for the eventual consolidation of undeveloped, small tracts into larger parcels.*
- 3. The CARL category shall be a priority area for a Purchase of Development Rights (PDR) Program. The PDR program should be designed to preserve a critical mass of land for agricultural uses within this area.*
- 4. Principal uses permitted in this area should be those associated with agriculture and its attendant housing needs. Non-agricultural conditional uses for this area should be kept to a minimum.*
- 5. The CARL area will serve as a “sender” area for development rights eligible for transfer to another area of the community under any permitted Transfer of Development Rights (TDR) Programs implemented under this plan.*
- 6. Greenways, with staging areas and trails adjoining creeks and streams, should be properly integrated into the CARL area in ways that avoid conflict with agricultural uses.*

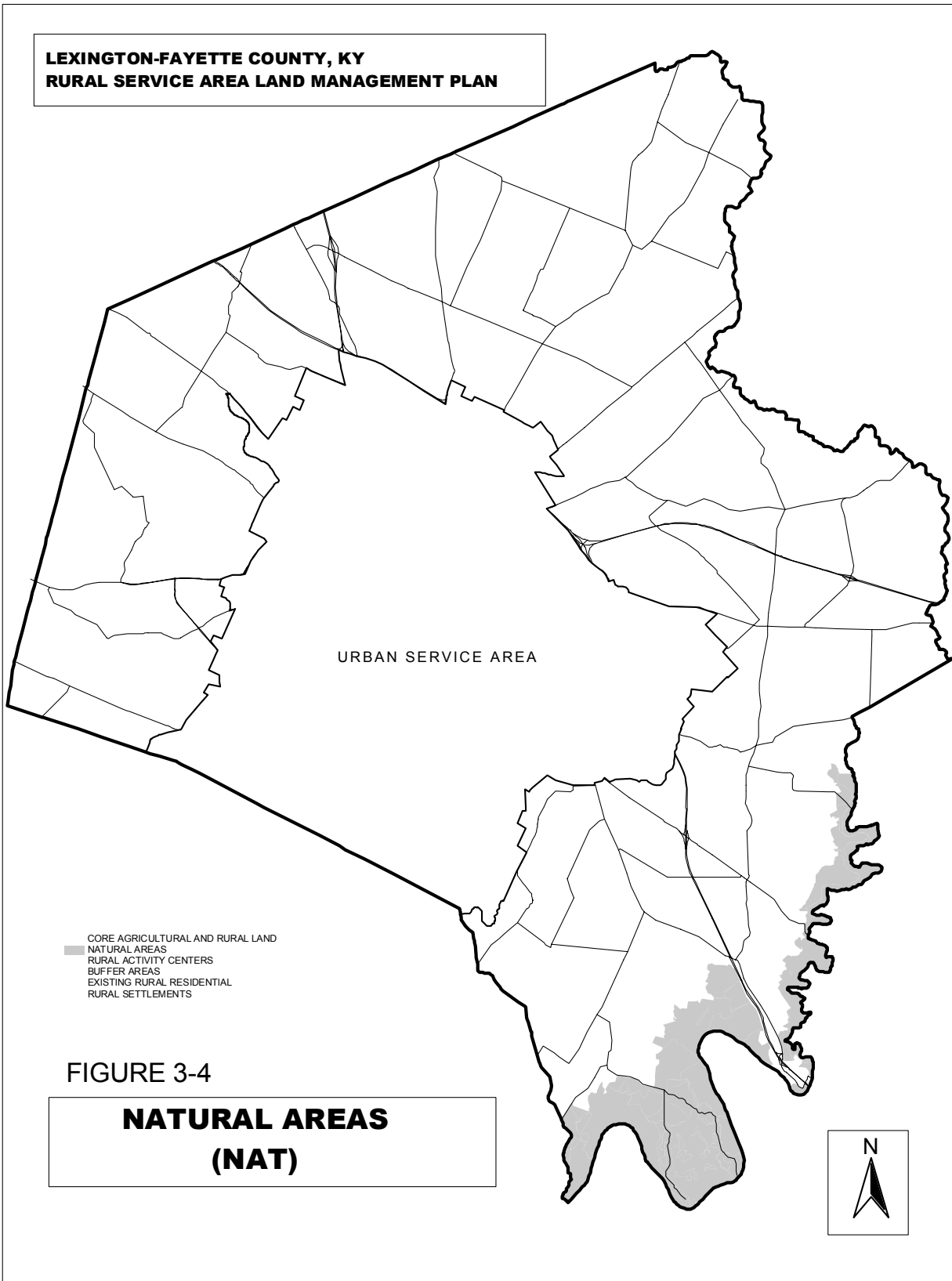
## **B. NATURAL AREAS CATEGORY (NAT)**

This land category is designed to encompass certain areas that are physically unique from other portions of Fayette County in that they are important for preservation, but not primarily for their association with agriculture. Located generally in the extreme southeastern portion of the Rural Service Area, these lands are associated with a number of factors that distinguish them from the CARL and other rural land categories. The total land area proposed for this category is 8,550 acres.

Lands in this area exhibit a combination of characteristics including an association with the Kentucky River and its tributaries. Compared to other areas of the Rural Service Area, the land generally contains steeper slopes, forested areas, poorer/thinner soils and similar characteristics. Portions of the area are recognized as historic/scenic areas, and are known as habitat for rare and unusual flora and fauna. Approximately 90% of the land has a high degree of environmental sensitivity, including floodplain/riparian areas, steep slopes, and woodlands. Although agriculture can and does occur in portions of this area, it is not the predominant character of the area as a whole.

The policy emphasis for land in this category should be for preservation and enhancement of the land in a natural state with a minimum of intrusions.

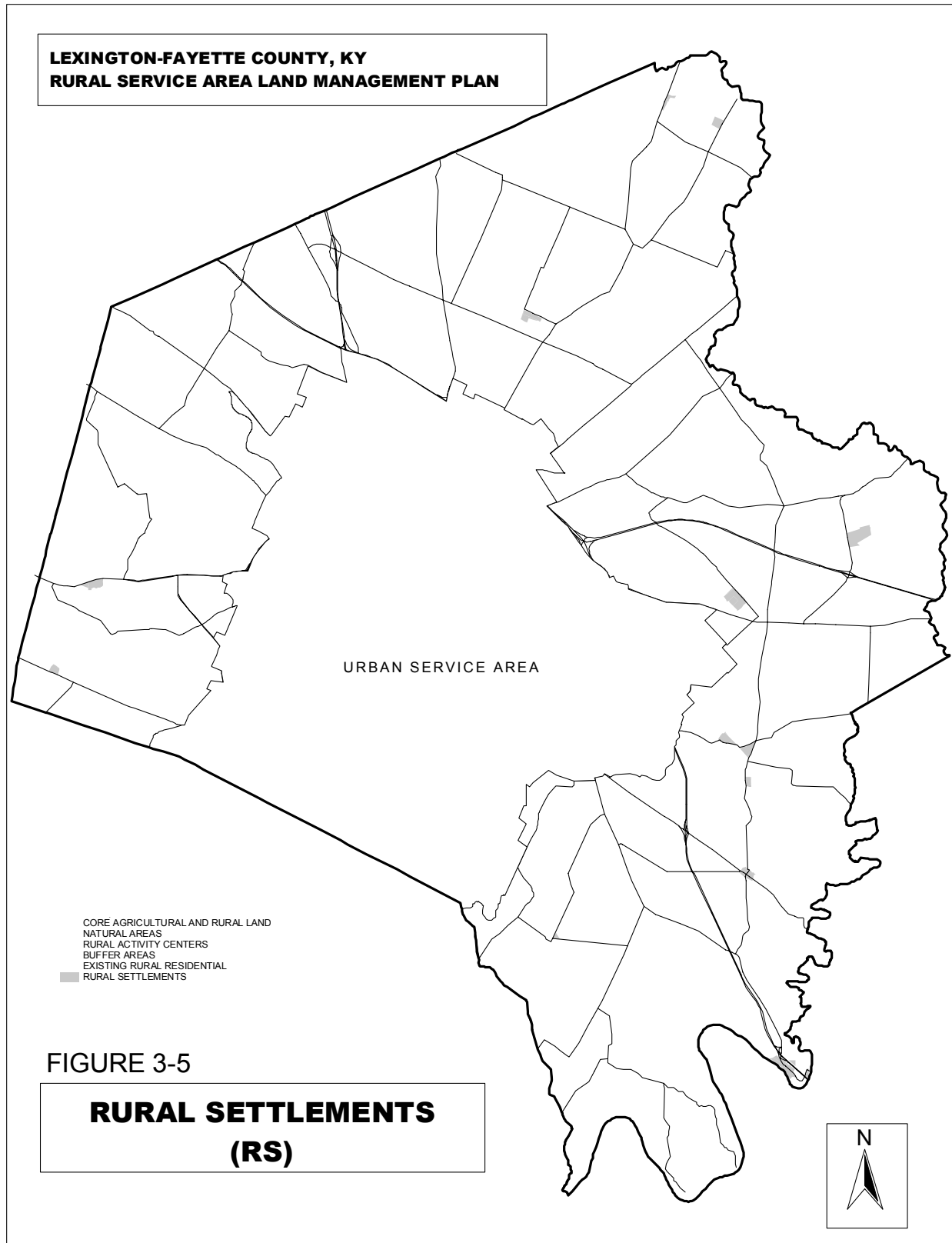






***The following programs are recommended for this area:***

- 1. The minimum parcel size for the creation of new tracts should be established at 40 acres to ensure the preservation of parcels of a size conducive to minimal disturbance of the natural features of this land. Consideration should be given to even larger minimum lot sizes in this area.***
- 2. Existing tracts under 40 acres in size shall be permitted to remain. However, programs should be created which are designed to offer incentives for the eventual consolidation of undeveloped small tracts into larger parcels.***
- 3. The NAT category shall be a priority area for a Purchase of Development Rights (PDR) Program. The PDR program should be designed to preserve lands which are environmentally sensitive and which can serve multiple purposes of conservation of natural resources, public access for passive recreations such as hiking and nature trails, protection of wildlife habitat, environmental education, and similar uses.***
- 4. Principal uses permitted in this area should be those associated with agriculture and rural housing in a natural setting with minimal disturbance to the land and vegetation. Conditional uses for this area should be kept to a minimum.***
- 5. The NAT area will serve as a “sender” area for development rights eligible for transfer to another area of the community under any permitted Transfer of Development Rights (TDR) Program implemented under this plan.***
- 6. The LFUCG should seek to implement programs throughout this area designed to improve and manage public accessibility to the resources in this area. These programs should utilize the Raven Run sanctuary as a focus and staging area for such programs.***
- 7. Public acquisition of NAT land should be priority. A major preserve of 1000 acres to 2000 acres would be desirable. The land to be acquired should be in a location that would provide links to areas that have already been acquired or where conservation/scenic easements are proposed.***



### **C. HISTORIC RURAL SETTLEMENTS CATEGORY (RS)**

This land category is designed to encompass the older, historic rural settlements that are an essential part of the rural character of Fayette County. In 1971 the City-County Planning Commission published the Historic Survey, Rural Settlements in Fayette County. The purpose of the report was to show the historic pattern of development in the rural areas of the county. The report found 15 settlements or clusters, located outside the Urban Service Area, each having 15 or more homes. It should be noted that in the years since the publication of the survey, many of the settlements have declined in size. Section IV of this report provides additional specific information regarding the rural settlements. The total land area proposed for this category is 579 acres.



*Historic Athens.*

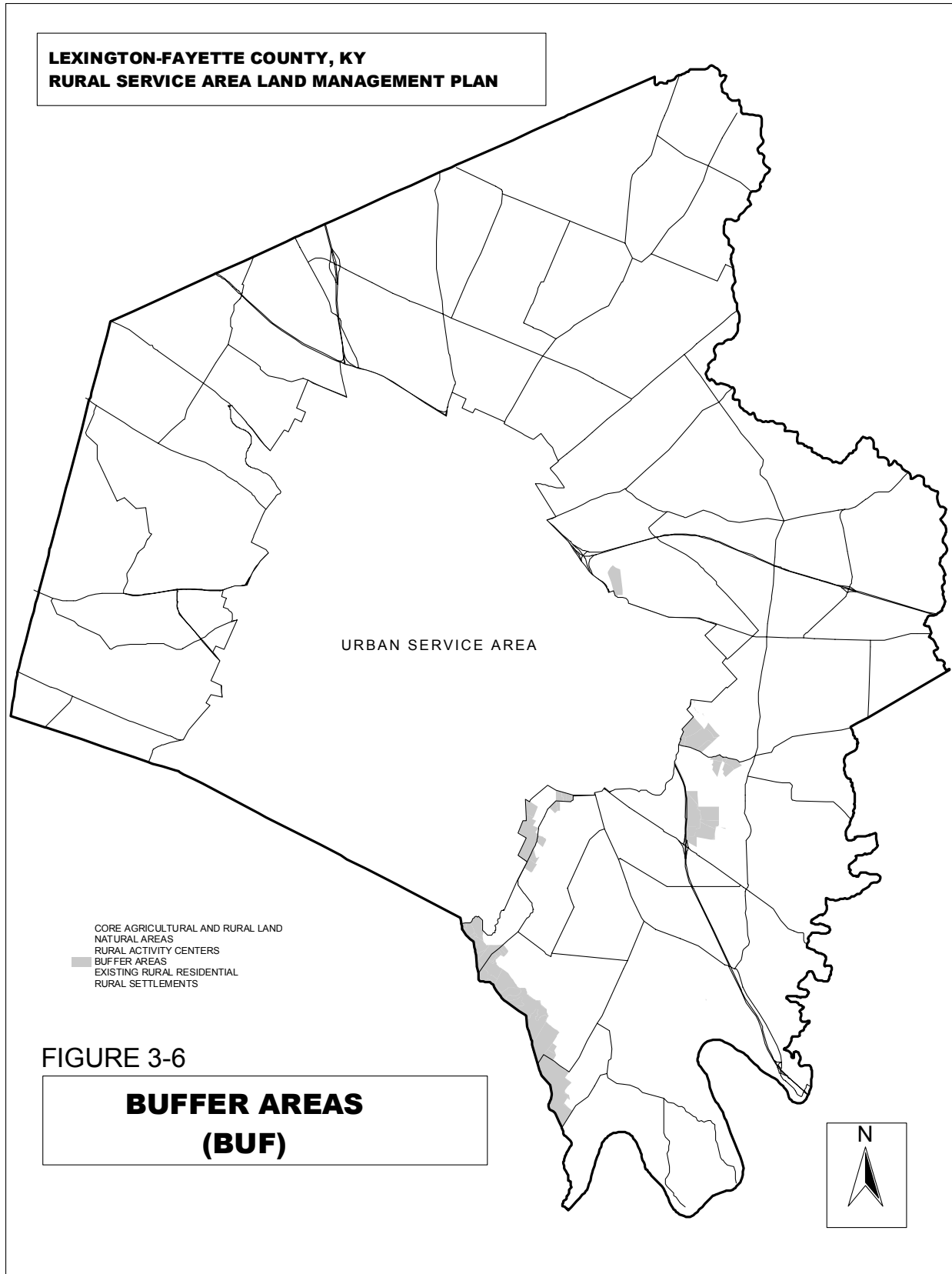
There is a great deal of concern regarding the future of these rural settlements. There is a distinct possibility that the settlements could eventually be the subject of a kind of lot-by-lot redevelopment. These lots will be among the very few places in the Rural Service Area where small lots could be obtained. In the future, many of the lots could be worth more as building sites than the sum of the existing lot and improvements on the property. Unless programs are established to enhance and protect the historic rural settlements, their character may be seriously compromised.

However, it should also be recognized that certain settlements might have limited development potential that could be beneficial to the enhancement and revitalization of the settlements. Many of these areas are zoned R-1D which would allow lots of 6,000 square feet. Many of these lots are considerably larger than the minimum for the zone and could be subdivided into two or more 6,000 square foot lots. This should only be attempted as a part of a program linked to a transfer of development rights and only after adoption of a specific plan for the rural settlement in question. Such development should be subject to development restrictions that would guarantee compatibility with the character of that particular rural settlement.

The policy emphasis for land in this category should be for preservation and enhancement of the land from both a use and design perspective compatible with the historic nature of the rural settlement.

*The following programs are recommended for the historic rural settlement category:*

- 1. Any further subdividing/development of these areas should not be permitted at this time.*
- 2. There should be a focused effort to stabilize and enhance the existing housing in these areas. Such programs should be designed to ensure the preservation of the resource and to prevent incompatible redevelopment/rehabilitation.*
- 3. Inasmuch as there has not been a serious study of the historic rural settlements since 1971, there should be a comprehensive analysis of these areas in the near future. The scope of this study should include population, housing, design characteristics, definition of boundaries, assessment of infrastructure, infill/redevelopment opportunities, and similar information needed to formulate small area plans for these areas.*
- 4. Only after the conclusion of such studies, and only in areas where it is deemed warranted, consider the establishment of a TDR linked program for redevelopment of rural settlements. These areas could serve as receiver sites for transferred development rights from the CARL and NAT categories to permit oversized parcels within a rural settlement to be further divided to a size and intensity of development compatible with the character of that particular settlement.*



#### **D. BUFFER AREAS CATEGORY (BUF)**

This land category is designed to encompass certain areas that can serve as buffers between urban or rural uses and/or land in other jurisdictions. These areas could allow for more uses or slightly intensified uses than those recommended in the CARL and NAT categories. The total land area proposed for this category is 2,706 acres.



The land in this category falls into two distinct areas, with slightly different conditions that made the area appropriate for this category:

- The first consideration is for areas of existing, virtually fully developed ten-acre tracts immediately adjoining the Urban Service Area boundary. These areas can be characterized as having an “urban-rural” transitional function as they buffer larger agricultural areas from urban development. The intent is not to expand any such areas; but to recognize their unique ability to be compatible with and buffer adjacent agricultural operations.
- The second consideration for a buffer area is land along the east side of Tates Creek Road opposite Jessamine County. This is the only area in the RSA where a face-to-face relationship exists across a roadway to land in another political jurisdiction. The future of the land on the west side of Tates Creek Road, in Jessamine County, will not be under the control of the Urban County Government. Some portions of the land in Jessamine County, along Tates Creek Road been permitted to develop into mobile home parks, and some business uses, although the predominant use is still agriculture. Much of the Fayette County side has been developed into ten-acre tracts. Given these considerations, the creation of a buffer area designed to transition from possible incompatible uses in Jessamine County into the Fayette County core agricultural and natural areas is appropriate.

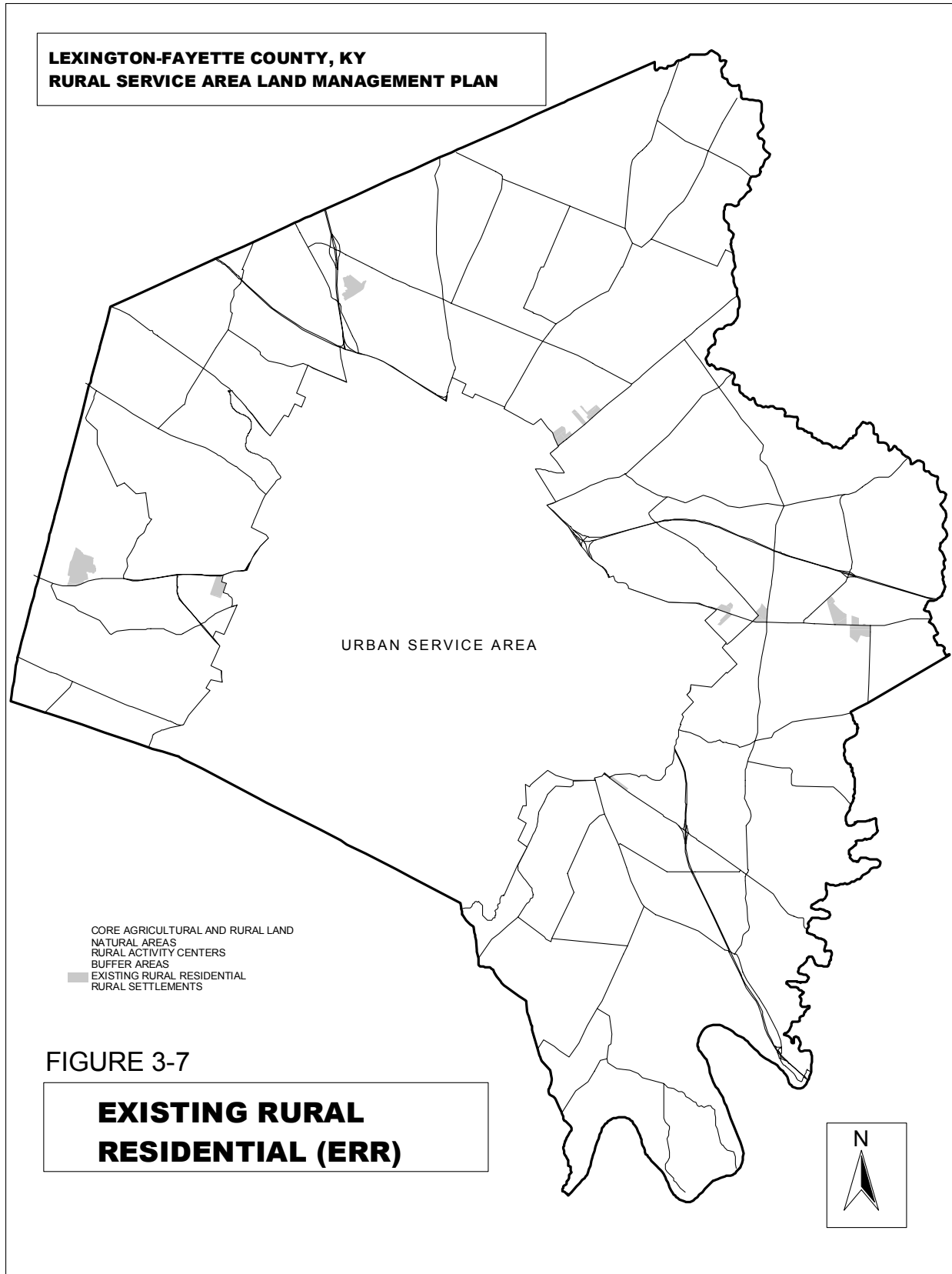
The policy consideration for this category is to allow more intense and varied land use than those in the CARL and NAT to create suitable buffer and transition areas.

*The following programs are recommended for this category:*

- 1. The minimum parcel size for the creation of new tracts should remain 10 acres to ensure the preservation of parcels of a size conducive to serving as a buffer area between core agriculture and potentially incompatible uses.*
- 2. Land in the Buffer Area should not be considered for a Purchase of Development Rights Program unless it is associated with another specific plan element.*
- 3. Principal uses permitted in this area should be those associated with agriculture and housing. Conditional uses for this area should be uses compatible with core agricultural activities.*
- 4. Any development permitted as either residential or conditional uses in these areas should entail the use of specific physical buffers between the development and adjoining core agricultural areas. Where plant materials are to be used for landscaping, only plants that have no potential animal toxicity or other nuisance potential to agricultural uses shall be specified. Fencing shall be of a type that poses no danger to livestock.*
- 5. Any proposed development must be rigorously reviewed in terms of special concerns and conditions related to development in agricultural areas. Design standards and conditions for approval shall be established through the creation of a zone that addresses these concerns.*



*Commercial and subdivision development on the Jessamine County side of Tate's Creek Road, opposite an area designated as a Buffer Area.*





## **E. EXISTING RURAL RESIDENTIAL CATEGORY (ERR)**

This category is designed to encompass certain residential areas in the RSA which are not associated with historic rural settlements. These areas are predominately post-World War II “suburban estate” developments that were divided into ½ and 1 acre lots prior to the creation of



*This suburban-style one-acre estate lot development is typical of the development pattern mitigated by the ten-acre rule in the 1960s.*

the Urban Service Area and the institution of the “10-acre rule” in the 1964. Many of these areas achieved the right to complete development of approved subdivision lots, some of which are still eligible for development today. It is fair to say that if the 10-acre rule had not been instituted in 1964, a significant percentage of Fayette County’s growth in the decades since the 60’s would have occurred in other developments of this type. If such had been permitted to occur, the base of land available for rural preservation today would have been dramatically compromised. The purpose of this category is to recognize the existence of these developments and define their boundaries. The total land area proposed for this category is 820 acres.

The residential developments in question are typically self-contained subdivisions. Some examples of these developments are Westmoreland Estates, Spindletop Estates, Wellesley Heights, and Rolling Ridge subdivisions. These developments have existed in the rural domain as urban anomalies. They have the potential to create adverse conditions for adjoining agricultural activities due to their suburban development pattern, traffic generation, septic facilities on small tracts, and conflicts between livestock (particularly) horses and residents and household pets.

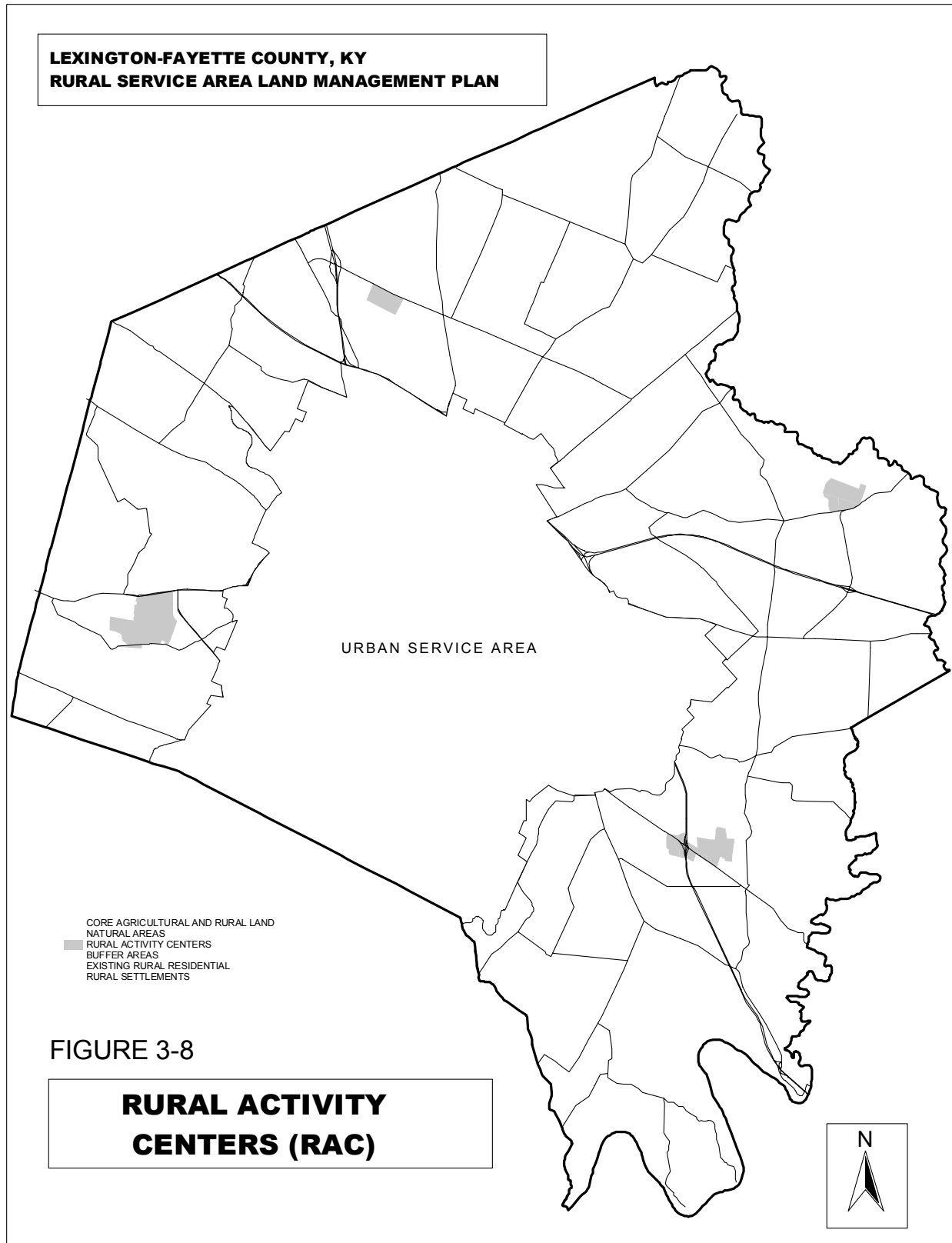
The policy considerations for these areas are to establish their boundaries and prohibit expansion or creation of any new areas. In isolated cases where additional homes may be built within previously approved subdivisions, there is an added goal of providing buffering against adjoining agricultural lands.

***The following programs are recommended for these areas:***

- 1. No existing lots within these subdivisions shall be permitted to be further subdivided.***
- 2. The total number of units shall not exceed the number approved originally.***
- 3. For any new areas to be platted or to have building permits, a building setback for principal and accessory buildings should be established at the depth typical for the development to improve design compatibility for these areas. For any new areas to be platted or to have building permits, fencing as directed by the Land Subdivision Regulations for development adjoining active agricultural areas should be required.***
- 4. Landscaping and buffering should be required between the development and adjoining agricultural uses. Where plant materials are to be used for landscaping, only plants that have no potential animal toxicity or other nuisance potential to agricultural uses shall be specified. Fencing shall be of a type that poses no danger to livestock.***



*Spindletop Estates.*



## **F. RURAL ACTIVITY CENTERS CATEGORY (RAC)**

The 1980 Comprehensive Plan, as well as subsequent Plans, identified four Rural Activity Centers. These were four existing employment centers that were located outside the Urban Service Area. They were not considered eligible to receive major public investments for urban services but could receive specific public facilities and services to accommodate the planned amount of **non-residential** land uses. It was hoped that all Rural Activity Centers would become, in time, free standing small Urban Service Areas with a pre-determined, limited range of urban functions, including commercial and industrial uses, and public services and facilities (but not residential uses).



*Spindletop Research Center.*

The boundaries of the Rural Activity Centers should not change, to ensure the protection of rural farm uses, to prevent inappropriate growth pressures on farmland, and to eliminate premature and costly non-contiguous growth. Modification to the boundaries of any of the Rural Activity Center should only be considered after extensive studies regarding land needs, traffic, adequacy of sewers, and other pertinent factors. Such modification must be in

substantial agreement with Comprehensive Plan, as a whole. Adequate screening and buffering should be provided as new development occurs to protect surrounding agricultural uses and residential properties from the negative effects of the more intensive uses contemplated for the Rural Activity Centers. No development should be permitted unless the site has access to sanitary sewers.

Information on the four Rural Activity Centers including their location, their primary land uses, and treatment plant capacities are summarized below.

**Note:** Information on the privately owned sewerage systems was obtained from the draft 201 Wastewater Treatment Plan.

**Blue Sky**—Located at the intersection of Athens-Boonesboro Road and I-75, this area is recommended primarily for warehousing, light industrial and interstate commercial development. It is served by two private treatment plants. The Blue Sky Treatment Plant is located on the east side of the interstate and has a design flow of 150,000 gallons per day (GPD) and a 1996 average daily flow of 53,000 GPD. The JFG Treatment Plant (also known as the Boonesboro Manor Plant) is located to the west of the interstate and has a design flow of 70,000 GPD and a 1996 average daily flow of 3,000 GPD.

Certain properties adjacent to the Blue Sky Rural Activity Center have unique circumstances due to the availability of private sanitary sewer treatment facilities, access to I-75 and to Lexington via a four lane roadway, and the impact on them due to the existing Rural Activity Center uses, highways, and other urban uses and have been requested for inclusion into the Rural Activity Center. However, any proposal to expand the Blue Sky Rural Activity Center to these properties should only be considered in the context of an overall Comprehensive Plan amendment or Small Area Plan process in which specific study and evaluation is given to issues such as:

- a. Traffic studies and traffic management issues;
- b. Sewerability issues such as the extent of infrastructure needed, quality of service and other engineering considerations;
- c. Location and extent of proposed land uses and the need for such uses at any given location;
- d. Development design requirements and restriction; and
- e. Landscaping and buffering restrictions.

**Avon (Blue Grass Station)**—Located on Briar Hill Road and Houston-Antioch Road, this area is primary recommended for warehouse and light industrial uses. This area is served by the Bluegrass Station Treatment Plant, which was constructed to serve the Bluegrass Army Depot. The treatment plant is now operated by the LFUCG and has a design flow of 100,000 GPD and a 1996 average daily flow of 38,000 GPD. Information from the Division of Engineering indicates that due to the age of this plant, as well as other factors, improvements to the plant would be needed to accommodate a 100,000 GPD flow.

**Spindletop**—Located at the intersection of Iron Works Road and Berea Road, this land is recommended in the Plan for professional service (office) uses. Effluent from the existing uses is pumped to the treatment plant at the Horse Park. The Horse Park treatment plant has a design flow of 150,000 GPD and a 1996 average daily flow of 191,000 GPD. It should be noted that treated effluent is allowed to be spray-irrigated in certain areas of the state park in lieu of discharge to the stream.

**Airport**—Located at Versailles Road and Man o' War Boulevard, this development is designated for Other Public Uses. In addition to the terminal, there are warehousing and office uses to support the facilities at the airport. These uses are served by a dedicated public sewer line, which has been sized to serve only the anticipated need.

A map of the location of the Rural Activity Centers appears as Figure 3-8. The following table depicts the acreage of the various land uses in each of the Rural Activity Centers at full development:

**FIGURE 3-9: RURAL ACTIVITY CENTERS LAND USES AT FULL DEVELOPMENT**

<b>RAC</b>	<b>RETAIL</b>	<b>HIGHWAY COMM</b>	<b>PROF SERV</b>	<b>OPU</b>	<b>LGT IND</b>	<b>HVY IND</b>	<b>CIRC</b>	<b>TOTAL ACRES</b>
AIRPORT	0	0	0	726.4	0	0	0	<b>726.4</b>
AVON	3.2	0	0	0	247.2	43.4	0	<b>293.8</b>
BLUESKY	15.6	134.6	12	0	284.5	0	18.8	<b>465.5</b>
SPINDLETOP	0	0	188.3	0	0	0	0	<b>188.3</b>
<b>TOTAL ACRES</b>	<b>18.8</b>	<b>134.6</b>	<b>200.3</b>	<b>726.4</b>	<b>531.7</b>	<b>43.4</b>	<b>18.8</b>	<b>1674</b>

*The following is recommended for the Rural Activity Centers:*

*The review of the Rural Activity Centers as a part of the Rural Service Area Land Management Plan has revealed no reason to change the boundaries or other aspects of the RACs at this time. No immediate potential for use as TDR receiver sites or other rural preservation based purpose is immediately evident. Although the RAC concept should continue to be periodically reviewed as a part of the five-year process of updating the 1996 Comprehensive Plan, no change should be made at this time. The RACs should be reflected in the Rural Service Area Land Management Plan as currently adopted in the overall Comprehensive Plan.*